

Melissa L. Garber
Garber Consulting Group LLC
24 Dyke Road
Latham, New York 12110
(518) 588-5575 office
(518) 708-6772 fax
melissa@garbercg.com

December 7, 2015

FCC
Office of the Secretary
445 12th Street SW
Washington, DC 20554

Re: Administrator's Decision on Appeal – Funding Year 2013-14

<u>Appellant Name:</u>	Buffalo Promise Early Childhood Center
<u>Billed Entity Number:</u>	16072981
<u>Applicant Name:</u>	Melissa Garber, Garber Consulting Group LLC Consultant ID 16062944
<u>Service Provider Name:</u>	Advance2000 SPIN 143009312
<u>Form 471 Application Number:</u>	924945
<u>Funding Request Numbers:</u>	2524476

Administrator's Decision on Appeal – Funding Year 2013-14

Our records show that your appeal was postmarked more than 60 days after the date your Administrators' Decision on SPIN Change Request Letter was issued as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appears within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.

To whom it may concern:

The purpose of this letter is to appeal the decision of Buffalo Promise Early Childhood Center (Buffalo Promise) 2013-14 E-Rate application #924945 SPIN Change request for FRN 2524476. The program has determined that the school has exceeded the 60 day appeal deadline since the initial decision was made.

Unfortunately this is a sad story of a deserving, extremely impoverished school that followed the program rules and has been unable to collect their committed funds from the 2013-14 funding year.

The school applied in March 2013 and was approved in December 2013 for Priority 1 funding for Telecomm Services by Advance2000. After their Priority 1 FCDL was issued I asked the school for invoices to submit for reimbursement. Once received (in January 2014) I noticed that the invoices that were sent were from Time Warner Cable and not Advance2000 who had been awarded the work back in March 2013. We immediately contacted the Advance2000 sales representative and were told that Advance2000 was a reseller for Time Warner. It soon became evident that the service provider Advance2000 did not have the E-Rate experience that they claimed during the competitive bid process and had setup the Buffalo Promise account incorrectly. At this point the school had already received and paid in full six (6) invoices for service beginning July 1, 2013 from Time Warner Cable. They continued to pay Time Warner Cable for the duration of the funding year before Advance2000 corrected the billing error.

I submitted the original SPIN Change request on January 14, 2014 with Case # 22-580358. This SPIN Change was denied on February 11, 2014 because Time Warner was not included in the competitive bid for the school's 2013-14 application. It became evident that this change needed to happen from the Service Provider as they misrepresented themselves in their bid response and the school was unable to receive reimbursement for these approved services.

I sent numerous emails to the service provider sales representative, Chief Operating Officer and billing department trying to push this along. Unfortunately I did not receive the response that the school deserved in a timely manner. I finally received an email from Advance2000 on July 30, 2014 admitting fault to setting up the account incorrectly. I submitted another SPIN Change request on July 31, 2014 with Case # 22-662185. My intention was to submit a new request because of the new information that I had received from the service provider. However on August 6, 2014 I received a denial letter stating that "my appeal" was beyond the 60 day deadline and subsequently denied.

I contacted David LeNard the USAC S&L Ombudsman at that time and he said that our only hope was an FCC appeal. Now that the funding year had ended my focus became

to try to get the service provider to regain control of Buffalo Promise's billing in cooperation with Time Warner Cable so that we could submit a BEAR or apply SPI Credits using Advance2000 before the BEAR invoicing deadline. Despite many failed attempts, high turnover at Advance2000 and lack of ownership of this issue; the reimbursement did not happen.

On July 8, 2015 I received an email from the service provider stating that he had conversed with Jeff Walsh the current USAC S&L Ombudsman. He asked me to resubmit the SPIN Change request using a letter written by Time Warner Cable reinforcing Advance2000 reseller position. I talked to Jeff Walsh myself and resubmitted another SPIN Change request on August 13, 2015 with Case #22-822009. It was our thought that this would finally have a positive outcome.

Unfortunately in early October I received a phone call from Jeff Walsh informing me that the SPIN Change request was being denied a third time due to the already extended invoicing deadline expiration. Please note that the actual letter was mailed to an incorrect mailing address and was never received. I contacted USAC customer service today and was provided an electronic version.

I am writing to the FCC in appeal in hope that you can see that the school has abided by the program rules and that in fact the service provider was at fault for this situation. This school followed proper procedure and has been misled repeatedly by their provider. They counted on this reimbursement and it has had severe impact to their budget even 2 years later. I have continued to press to resolve this issue working with USAC, Advance2000 and the school for several years. I hope that you will reverse this decision so that Buffalo Promise Early Childhood Center can finally receive their awarded funds from the 2013-14 funding year.

Sincerely,

A handwritten signature in cursive script that reads "Melissa L. Garber".

Melissa L. Garber
Garber Consulting Group LLC

Attachment #1:

Case 22-580358 January 14, 2014 SPIN Change Request

1.	Submitter of request	Melissa L. Garber
2.	Billed Entity Number	16072981
3.	Funding Request Number (FRN)	2524476
4.	FCC Form 471 Application Number	924945
5.	Applicant Name	Buffalo Promise Early Childhood Center
6.	Applicant Contact	Melissa L. Garber
7.	Applicant Phone	518-588-5575
8.	Applicant Email address	melissa@garberconsultinggroup.com
9.	Original SPIN	143009312
10.	Original Service Provider	Advance 2000
11.	Original Service Provider Contact	Theresa Caraco
12.	Original Service Provider Phone	716-929-0954
13.	Original Service Provider Email address	
14.	New SPIN	143019523
15.	New Service Provider	Time Warner
16.	New Service Provider Contact	Julie P Laine

17.	New Service Provider Phone	212364-8482
18.	New Service Provider Email address	
19.	Reason for change. If the change is for a reason other than a data entry error or a merger/acquisition, please give a brief explanation of the circumstances requiring the change.	School is being billed directly from Time Warner rather than reseller, Advance2000.
20.	<p>Has the original service provider supplied any services under this funding request? If yes, you must supply the following information.</p> <p>For recurring services:</p> <p>a. Monthly pre-discount amount for original service provider</p> <p>b. Monthly pre-discount amount for new service provider</p> <p>c. Effective date of change</p> <p>d. Last day of</p>	<p>NO</p> <p>Do not provide the total pre-discount amount for the funding year or the total funding commitment. Only provide the monthly amount.</p> <p>Neither a. nor b. may be greater the Item 23c on FCC Form 471.</p> <p>The date must be expressed as the first day of the month (e.g., October 1, 2011 not October 20, 2011)</p>

service for new service provider	
--	--

For non-recurring services:

- | | |
|---|---|
| a. One-time pre-discount amount for original service provider | Do not provide the total pre-discount amount for the funding year or the total funding commitment. Only provide the monthly amount. |
| b. One-time pre-discount amount for new service provider | The sum of a. and b. may be greater the Item 23h on FCC Form 471. |
| c. Effective date of change | The date must be expressed as the first day of the month (e.g., October 1, 2011 not October 20, 2011). |
| d. Last day of service for new service provider | |

Attachment #2:

February 11, 2014 – Administrator's Decision on SPIN Change Request

Administrator's Decision on SPIN Change Request

February 11, 2013

Applicant Name: BUFFALO PROMISE NEIGHBORHOOD EARLY CHILDHOOD CTR
Billed Entity Number: 16072981
FCC Form 471 Application Number: 924945
Funding Request Number(s): 2524476
Your Correspondence Dated: 01/14/2014

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your SPIN Change Request for the FRN(s) indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision to USAC or the Federal Communications Commission (FCC). If your SPIN Change request included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request No. (FRN): 2524476

Original Service Provider: Advance 2000 Inc.

Original SPIN: 143009312

New Service Provider: Time Warner Cable Information Services (New York), LLC

New SPIN: 143019523

Original Commitment Amount: \$5,940.00

Disbursement Amount: \$0.00

CAP Remaining: \$5,940.00

A FCC Form 486 has been filed for this FRN: Yes

This FRN includes Non-Recurring Services: No

Decision: Denied

Explanation: You requested a SPIN Change for FRN 2524476 from SPIN 143009312 to 143019523. However, your request is denied because you did not have a legitimate reason for a SPIN change to SPIN 143019523.

Specifically, as part of your SPIN change request, a legitimate reason to change providers is required (e.g. data entry error, merger or acquisition, intra-company SPIN change, original SPIN not an E-Rate program participant, breach of contract between the applicant and its original service provider or the original service provider's inability to perform the requested service). Because the specified reason for a SPIN Change is not considered a legitimate reason, your SPIN Change request to SPIN 143019523 is denied.

TO APPEAL THIS DECISION

You have the option of filing an appeal with USAC or directly with the Federal Communications Commission (FCC).

If you wish to appeal a decision in this letter to USAC, your appeal must be received by USAC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Include the following to identify the USAC decision letter (e.g., FCDL) and the decision you are appealing:
 - appellant name
 - applicant and service provider names, if different than appellant
 - applicant BEN and service provider SPIN
 - **<insert application or form number>** as assigned by USAC
 - Funding Request Number(s) (FRNs) you are appealing if provided in the letter
 - **<insert name of the letter and funding year - both are located at the top of the letter>** AND
 - the exact text or the decision that you are appealing.
3. Please keep your letter to the point and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal, including any correspondence and documentation.
4. If you are the applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are the service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to appeals@sl.universalservice.org or submit your appeal electronically by using the "Submit a Question" feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal
Schools and Libraries Division - Correspondence Unit
30 Lanidex Plaza West

PO Box 685
Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, please see “Appeals” in the “Schools and Libraries” section of the USAC website.

If you wish to appeal a decision in this letter to the FCC, you should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received by the FCC or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. We strongly recommend that you use the electronic filing options described in “Appeals” in the “Schools and Libraries” section of the USAC website. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

Thank you for your continued patience and cooperation during this process.

Schools and Libraries Division
Universal Service Administrative Company

CC:

Attachment #3:

July 30, 2014 – Email from Advance2000 implicating themselves for billing error

From: [Carl Carbone](#)
To: melissa@garberconsultinggroup.com
Subject: Buffalo Promise TW issue
Date: Wednesday, July 30, 2014 2:53:49 PM
Attachments: [doc03882320140730145327.pdf](#)

Melissa,

In regards to Buffalo Promise, we had submitted a number of quotes for the school for ERate funding with one of them being Telco and Internet services though one of the Carriers we are authorized sales agents for. Advance2000 is a sales agent for a number of Carriers that we use to support our customers' requests for dedicated services and Cloud Computing services. In this case we submitted a quote through Advance2000 using Time Warner. In an effort to accommodate the short time frame of the schools opening date we processed this order for the school but our accounting department did not notice that it was an ERate project therefore the billing has been generated by Time Warner instead of Advance2000. The quote was submitted using Advance2000's quoting process but the actual contract was submitted using Time Warner's contract.

If you need any more clarification please let me know.

Sincerely,

Carl Carbone
Business Development Executive

Your Productivity. Optimized.

1140 Wehrle Dr.
Amherst, NY 14221
716.929.0956 (Office)
716.929.7293 (Fax)
800.238.2621 ext.2256 (Toll-Free)
ccarbone@advance2000.com
www.advance2000.com
www.linkedin.com/pub/carl-carbone/29/a23/103/

Like Us. Watch Us. Follow Us.

No virus found in this message.

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Version: 2014.0.4716 / Virus Database: 3986/7857 - Release Date: 07/15/14

Internal Virus Database is out of date.

Attachment #4:

July 31, 2015 – Case #22-662185 SPIN Change Request

From: [Melissa Garber](#)
To: ["sldcaseattachments@sl.universalservice.org"](mailto:sldcaseattachments@sl.universalservice.org)
Subject: RE: SLD Inquiry #: 22-662185 Received
Date: Thursday, July 31, 2014 10:26:25 AM
Attachments: [BufPromise_ADV2000_TWC_SPIN_Ch.PDF](#)

To whom it may concern:

Please see attached SPIN Change request with supporting documentation. The service provider, Advance2000, an authorized agent for Time Warner Cable, setup the account incorrectly and the school was billed by Time Warner directly. The school very much would like their reimbursement for their 2013-14 funding and needs this SPIN change request processed in order to submit the proper forms.

Thank you and please do not hesitate to contact me or the service provider for further clarification of this issue.

Melissa Garber

Garber Consulting Group LLC
518.588.5575 p
518.708.6772 f
melissa@garberconsultinggroup.com

From: sldcaseattachments@sl.universalservice.org [mailto:sldcaseattachments@sl.universalservice.org]
Sent: Thursday, July 31, 2014 10:21 AM
To: melissa@garberconsultinggroup.com
Subject: SLD Inquiry #: 22-662185 Received

Thank you for using Submit a Question. This message serves as a receipt confirmation of your submission.

The case number for your submission is 22-662185.

Please refer to this case number in subsequent contacts regarding this issue. Note that we may need to ask you for additional information to completely answer your question or fulfill your request.

You indicated in your submission that you wish to send us an attachment. To submit an attachment, please reply to this message and attach your attachment to the reply. Any additional information you wish to provide should be included in the attachment, not added to the text of this email.

If you still have questions about this issue after you review our response, please call us at 1-888-203-8100. Please do not reply to this message or to our response, as replies go to an unattended mailbox.

If you have a new question or issue, please submit another question and we will create a new case number to address it.

If you need program information, you can visit the SLD web site at www.usac.org/sl.

Thank you.

Here is the information you submitted:

*[FirstName]=Melissa [LastName]=Garber [JobTitle]=Consultant
[EmailAddress]=melissa@garberconsultinggroup.com [WorkPhone]=5185885575
[FaxPhone]=5187086772 [PreviousCaseNumber]=0 [FormType]=Spin Changes
[Owner]=SPINCHANGES [DateSubmitted]=7/31/2014 10:18:15 AM
[AttachmentFlag]=Y[BenOrSpinNumber]=16072981 [FRN]=2524476
[ApplicationNumber]=924945 [ApplicantName]=Buffalo Promise Neighborhood Early
Childhood Cente [OldSPIN]=143009312 [OldSPName]=Advance2000
[NewSPIN]=143029523 [ChangeReason]=Advance2000 bid on work as a reseller for Time
Warner. Upon installation the account was setup incorrectly and the school was billed
directly by Time Warner and not Advance2000. [Question2]=The service provider made an
error when setting up service on this account and the school was billed directly by Time
Warner rather than through Advance2000 as the bid was submitted (as an agent of TWC).*

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2014.0.4716 / Virus Database: 3986/7954 - Release Date: 07/31/14

Attachment #5:

August 6, 2014 – Administrators' Decision on Appeal



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2013-2014

August 06, 2014

Melissa L. Garber
Garber Consulting Group LLC
7 Hunts End Lane
Loudonville, NY 12211

Re: Applicant Name:	BUFFALO PROMISE NEIGHBORHOOD EARLY CHILDHOOD CTR
Billed Entity Number:	16072981
Form 471 Application Number:	924945
Funding Request Number(s):	2524476
Decision Letter Date:	February 11, 2014
Date Appeal Postmarked:	July 31, 2014
Your Correspondence Received:	July 31, 2014

Our records show that your appeal was postmarked more than 60 days after the date your Administrator's Decision on SPIN Change Request Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.

If you believe there is a basis for further examination of your application, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company

Attachment #6:

**Email thread from January 2015 – February 2015 with Advance2000
showing lack of attention to this issue**

From: [Melissa Garber](#)
To: ["David Spada"](#)
Cc: ["Jad Maouad"](#); ["Eric Hooper"](#); ["Judith Miller"](#); ["Carl Carbone"](#); [Minor Ragan PHD, Yvonne \(yragan@mtb.com\)](#); [Szkotnicki, Edward \(eszko@mtb.com\)](#); [Amos, Antoinette \(aamos@mtb.com\)](#)
Subject: RE: SPI Credits????
Date: Monday, February 23, 2015 10:00:05 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
Importance: High

David,

Thank you for the response. The USAC process is straight forward and credits do not take this long to be processed for schools. Buffalo Promise has been your customer since July 2013 and they have yet to see any of their awarded funds. I have been trying to process a reimbursement for two years! I know that you were recently just made aware of this situation but I feel that the school has waited long enough.

I highly recommend that Advance pony up and provide the school their 90% reimbursement while you continue to wait... if you feel that the forms have been submitted satisfactorily by your team then you can wait for the money this time! You have already been paid in full by the school. Enough is a enough. They need what is rightfully theirs...

Melissa Garber

Garber Consulting Group LLC
518.588.5575 p
518.708.6772 f
melissa@garbercg.com
<http://www.garberconsultinggroup.com>

From: David Spada [mailto:dspada@advance2000.com]
Sent: Friday, February 20, 2015 2:48 PM
To: melissa@garbercg.com
Cc: Jad Maouad; Eric Hooper; Judith Miller; Carl Carbone
Subject: RE: SPI Credits????

Good Afternoon Melissa,

I contacted USAC about our issue and they are still reviewing the material that was sent to them regarding the credits. I understand the frustration that is being caused by this and I apologize. I am working to get this issue taken care of but we cannot issue a refund without having getting the money from USAC first. Once the money is received, we will send the credits right away. I have CC'd in this email our CFO, Jad Maouad, in this email as well so that he is aware of the situation as well.

From: Melissa Garber [mailto:melissa@garbercg.com]

Sent: Tuesday, February 17, 2015 10:09 AM

To: David Spada

Subject: RE: SPI Credits????

David,

Thank you for the update. It is imperative that we have an answer by Friday. Buffalo Promise has not posted their 470 form because they have yet to receive any reimbursement from this program since they applied two years ago. They refuse to move forward without some sort of reimbursement and I completely agree with them.

At this point you are probably better suited to contact the USAC customer service number yourself and escalate to speak with someone who can assist you in this process. The number is 1-888-203-8100.

Melissa

From: David Spada [<mailto:dspada@advance2000.com>]

Sent: Friday, February 13, 2015 1:45 PM

To: melissa@garbercg.com

Subject: FW: SPI Credits????

Good Afternoon Melissa,

I am still attempting to figure out where the problem is with the SPI Credits. I have not been able to find any of the information that Adrianna had since she left the company and we are still working on getting access to her archived emails. From what I have found is that she was working with a Ying Hong from Universal Service towards the end of November on this and that was all that I can find documented. If you can give me till the end of next week I will have a definitive answer for you on this matter.

From: David Spada

Sent: Wednesday, February 11, 2015 1:39 PM

To: 'melissa@garbercg.com'

Cc: Accounting A/R; Carl Carbone

Subject: RE: SPI Credits????

Hi Melissa,

I apologize for no one reaching out to you about this. We have a new staff who have never worked with USAC and the people that were taught all of the ERATE procedures are no longer with us and did not pass on the information to the proper people. I will look into this now and have an answer for you by the end of the week. I apologize again for any inconvenience.

From: Melissa Garber [<mailto:melissa@garbercg.com>]

Sent: Wednesday, February 11, 2015 10:32 AM
To: Carl Carbone; Adrianna Huynh
Cc: Accounting A/R
Subject: RE: SPI Credits????

Carl,

I understand completely. I sent my initial email to you, Adrianna and your A/R group on 1/21 and then again on 2/5 (see the thread below) and have not heard back from anyone.

I feel that we (myself, Buffalo Promise and Vertus) have been exceedingly patient as you work through this process. However, I have been doing this long enough to know that something is wrong and it does not take this long to receive a proper credit. It is vitally important that we have an update by the end of the week or I will be filing a complaint with USAC on your suspect sales tactics & broken promises which we have been waiting patiently for resolve over these past two years. This is a federal grant and the penalty and fines are significant when the program rules and guidelines have not been followed properly. I hope that we can get some answers quickly.

Thank you,

Melissa

From: Carl Carbone [<mailto:ccarbone@advance2000.com>]
Sent: Wednesday, February 11, 2015 9:21 AM
To: melissa@garbercg.com; Adrianna Huynh
Cc: Accounting A/R
Subject: RE: SPI Credits????

Melissa,
A/R has been asked to address this since they are the ones that file the paperwork and have the contacts in regards to all Erate invoicing.

Carl Carbone
Business Development Executive



Your Productivity. Optimized.

1140 Wehrle Dr.
Amherst, NY 14221
716.929.0956 (Office)
716.929.7293 (Fax)
800.238.2621 ext.2256 (Toll-Free)
ccarbone@advance2000.com

www.advance2000.com
www.linkedin.com/pub/carl-carbone/29/a23/103/

Like Us. Watch Us. Follow Us.



From: Melissa Garber [<mailto:melissa@garbercg.com>]
Sent: Thursday, February 05, 2015 1:42 PM
To: Adrianna Huynh; Carl Carbone
Cc: Accounting A/R
Subject: RE: SPI Credits????

Hi again,

Just following up to my email from two weeks ago... can someone please reply back with an update on these credits for these schools?

Thank you,

Melissa Garber

Garber Consulting Group LLC
518.588.5575 p
518.708.6772 f
melissa@garbercg.com
<http://www.garberconsultinggroup.com>

From: Melissa Garber [<mailto:melissa@garbercg.com>]
Sent: Wednesday, January 21, 2015 1:56 PM
To: 'Adrianna Huynh'; 'Carl Carbone'
Cc: 'Accounting A/R'
Subject: SPI Credits????

Good afternoon,

Can you please provide me with an update when the SPI credits will be applied for Buffalo Promise FY 2013 & FY 2014 and Vertus FY2014? I can see the designation in the DRT but no associated \$\$\$ amounts for each of the FRNs.

Thank you,

Melissa

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2014.0.4800 / Virus Database: 4257/9056 - Release Date: 02/04/15

Internal Virus Database is out of date.

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2014.0.4800 / Virus Database: 4257/9102 - Release Date: 02/12/15

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2014.0.4800 / Virus Database: 4257/9150 - Release Date: 02/20/15

Attachment #7:

July 8, 2015 - Email exchange with Advance2000 including verification of reseller status with Time Warner Cable

From: [Melissa Garber](#)
To: [Carl Carbone](#)
Cc: [Szkotnicki, Edward \(eszkotnicki@mtb.com\)](#)
Subject: Re: latest from USAC
Date: Wednesday, July 8, 2015 12:41:32 PM

Carl,

We have already been down this road. This is how it all started. The SPIN change was denied because you proposed as Advance2000 and not TWC. I was unable to switch to TWC because they did not bid on the proposed work and technically the SPIN change should go to the #2 bidder.

Melissa Garber, Managing Director
Garber Consulting Group LLC
Email: melissa@garbercg.com
Phone: 518-588-5575
Fax: 518-708-6772
www.garberconsultinggroup.com

> On Jul 8, 2015, at 9:34 AM, Carl Carbone <ccarbone@advance2000.com> wrote:

>

> I got a call from Jeff Walsh. He said what should have been done from day one was to request a SPIN request change for the 2013/2014 funding year where the school was paying TW directly. At this point you need to go to the USAC site and access the Request a corrective SPIN change for the FRN and funding year. The form/information needed is right in that section. I have included the original form I used so that you have the same info.

>

> Here is some other info you will need:

> USAC contact - Jeff Walsh 202-423-2610

> Time Warner Cable's SPIN # is 143019523

>

> Jeff said he will work with claims people to help get this through.

>

> I am trying figure out how to do the 2014/2015 one since it was only partially paid to TW directly by the school.

>

>

>

>

>

>

> -----Original Message-----

> From: Scan Test

> Sent: Wednesday, July 8, 2015 9:33 AM

> To: Carl Carbone

> Subject: Scanned Document

>

> Scanned document sent from

> -----

> TASKalfa 3050ci

> [00:c0:ee:88:26:dd]

> -----

>

> -----

> No virus found in this message.

> Checked by AVG - www.avg.com

> Version: 2015.0.6037 / Virus Database: 4365/10180 - Release Date: 07/07/15

> <doc05674020150708093302.pdf>

Attachment #8:

August 13, 2015 – Case 22-822009 SPIN Change Request

From: Melissa Garber
To: ["sldcaseattachments@sl.universalservice.org"](mailto:sldcaseattachments@sl.universalservice.org)
Cc: jwalsh@usac.org
Subject: RE: SLD Inquiry #: 22-822009 Received
Date: Thursday, August 13, 2015 2:18:06 PM
Attachments: [BufPromise_TWC_SPIN_CHANGE.docx](#)
[Vetrus Letter 6-9-15.pdf](#)

This is a corrective SPIN Change request. Advance2000, the named service provider and a reseller of Time Warner Service, mistakenly setup the customer incorrectly in their billing system. As a result, the school was billed directly by Time Warner rather than Advance2000. Please see attached documentation and contact me with questions.

Thank you,

Melissa Garber

Garber Consulting Group LLC
518.588.5575 p
518.708.6772 f
melissa@garbercg.com
<http://www.garberconsultinggroup.com>

From: sldcaseattachments@sl.universalservice.org [mailto:sldcaseattachments@sl.universalservice.org]
Sent: Thursday, August 13, 2015 2:12 PM
To: melissa@garberconsultinggroup.com
Subject: SLD Inquiry #: 22-822009 Received

Thank you for using Submit a Question. This message serves as a receipt confirmation of your submission.

The case number for your submission is 22-822009.

Please refer to this case number in subsequent contacts regarding this issue. Note that we may need to ask you for additional information to completely answer your question or fulfill your request.

You indicated in your submission that you wish to send us an attachment. To submit an attachment, please reply to this message and attach your attachment to the reply. Any additional information you wish to provide should be included in the attachment, not added to the text of this email.

If you still have questions about this issue after you review our response, please call us at 1-888-203-8100. Please do not reply to this message or to our response, as replies go to an unattended mailbox.

If you have a new question or issue, please submit another question and we will create a new case number to address it.

If you need program information, you can visit the SLD web site at www.usac.org/sl.

Thank you.

Here is the information you submitted:

*[FirstName]=Melissa [LastName]=Garber [JobTitle]=Consultant
[EmailAddress]=melissa@garberconsultinggroup.com [WorkPhone]=5185885575
[FaxPhone]=5187086772 [PreviousCaseNumber]=0 [FormType]=Spin Changes
[Owner]=SPINCHANGES [DateSubmitted]=8/13/2015 2:09:55 PM
[AttachmentFlag]=Y[BenOrSpinNumber]=16072981 [ApplicantName]=Buffalo Promise
Early Childhood Center [ApplicationNumber]=924945 [FRN]=2524476
[OldSPIN]=143009312 [NewSPIN]=143019523 [Question2]=Please process the requested
Corrective SPIN Change request. Reasoning attached.*

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2015.0.6086 / Virus Database: 4401/10371 - Release Date: 08/04/15

Internal Virus Database is out of date.

1.	Submitter of request	Melissa L. Garber
2.	Billed Entity Number	16072981
3.	Funding Request Number (FRN)	2524476
4.	FCC Form 471 Application Number	924945
5.	Applicant Name	Buffalo Promise Early Childhood Center
6.	Applicant Contact	Melissa L. Garber
7.	Applicant Phone	518-588-5575
8.	Applicant Email address	melissa@garberconsultinggroup.com
9.	Original SPIN	143009312
10.	Original Service Provider	Advance 2000
11.	Original Service Provider Contact	Theresa Caraco
12.	Original Service Provider Phone	716-929-0954
13.	Original Service Provider Email address	
14.	New SPIN	143019523
15.	New Service Provider	Time Warner
16.	New Service Provider Contact	Julie P Laine

17.	New Service Provider Phone	212364-8482
18.	New Service Provider Email address	
19.	Reason for change. If the change is for a reason other than a data entry error or a merger/acquisition, please give a brief explanation of the circumstances requiring the change.	School is being billed directly from Time Warner rather than reseller, Advance2000.
20.	<p>Has the original service provider supplied any services under this funding request? If yes, you must supply the following information.</p> <p>For recurring services:</p> <p>a. Monthly pre-discount amount for original service provider</p> <p>b. Monthly pre-discount amount for new service provider</p> <p>c. Effective date of change</p> <p>d. Last day of</p>	<p>NO</p> <p>Do not provide the total pre-discount amount for the funding year or the total funding commitment. Only provide the monthly amount.</p> <p>Neither a. nor b. may be greater the Item 23c on FCC Form 471.</p> <p>The date must be expressed as the first day of the month (e.g., October 1, 2011 not October 20, 2011)</p>

service for new service provider	
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For non-recurring services:

- | | |
|---|---|
| a. One-time pre-discount amount for original service provider | Do not provide the total pre-discount amount for the funding year or the total funding commitment. Only provide the monthly amount. |
| b. One-time pre-discount amount for new service provider | The sum of a. and b. may be greater the Item 23h on FCC Form 471. |
| c. Effective date of change | The date must be expressed as the first day of the month (e.g., October 1, 2011 not October 20, 2011). |
| d. Last day of service for new service provider | |

Attachment #9:

October 9, 2015 – Administrator's Decision Appeal



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2013-2014

October 09, 2015

Melissa Garber
Buffalo Promise Neighborhood Early Childhood Ctr
7 Hunts End Lane
Loudonville, NY 12211

Re: Applicant Name:	BUFFALO PROMISE NEIGHBORHOOD EARLY CHILDHOOD CTR
Billed Entity Number:	16072981
Form 471 Application Number:	924945
Funding Request Number(s):	2524476
Decision Letter Date:	February 11, 2014
Date Appeal Postmarked:	August 13, 2015
Your Correspondence Dated:	August 13, 2015

Our records show that your appeal was postmarked more than 60 days after the date your Administrator's Decision on SPIN Change Request Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.

If you believe there is a basis for further examination of your application, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company